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Attorney for Plaintiff

IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF OHIO,  
EASTERN DIVISION

WILLIAM BURKE,

Plaintiff,

v.

ANDREW ANGLIN et. al.

Defendants.

Case No. 2:19 cv 2006

MOTION FOR DEFAULT JUDGMENT

Judge: Hon. Michael H. Watson

Magistrate Elizabeth A. Preston Deavers

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**PLAINTIFF'S MOTION FOR DEFAULT JUDGMENT**  
**AGAINST DEFENDANT NATIONAL POLICY INSTITUTE**

Now comes Plaintiff and for his *MOTION FOR DEFAULT JUDGMENT*, states as follows:

This Court has already found Defendant National Policy Institute (NPI) in default pursuant to Rule 55(a) ECF Doc#66. Because the Defendant has been found in default, the well-pleaded facts of the complaint relating to liability must be accepted as true. *United States v. Cunningham*, No. 07-CV-212, 2009 WL 112831 (S.D. Ohio Jan. 15, 2009) (Black, J.). See also *Stooksbury v. Ross*, Case No. 12-5739, 2013 WL 2665596, \*3 (6th Cir. June 13, 2013) (treating the factual allegations of a complaint on liability as true because defendant produced no timely responsive pleading).

In the Second Amended Complaint, Plaintiff pleads that Defendant, National Policy Institute, was an organization that sought to promote a white nationalist state and that it helped to organize and promote the Unite the Right rally which occurred in Charlottesville over the weekend of August 12, 2017. Doc #57 ¶25. Plaintiff further alleges that it conspired to incite outrageous and reckless conduct in Charlottesville in an effort to cause severe emotional harm. *ID.* Plaintiff further alleges that the founder and head of the National Policy Institute, Richard Spencer, has requested to speak at the University of Cincinnati as well as Ohio State University and filed a federal lawsuit in the Southern District of Ohio, Western Division against the Universities in connection with their rejections of his requests. *Id.* Plaintiff further alleges that NPI agreed and coordinated with other Defendants to inflict physical harm and emotional distress on counter-protesters, including Plaintiff Burke, and countless others in Charlottesville on August 12, 2017. Doc #57 ¶25.

NPI, along with the other Defendants, conspired to plan, promote, and carry out the terroristic events in Charlottesville. Doc #57 ¶3. NPI and its co-conspirators spent months coordinating with other Defendants both on the internet and in person in a conspiracy to cause great harm to Plaintiff and other counter-protestors and the physical and psychological injuries Plaintiff Burke received, were direct, intended, and foreseeable results of the Defendants' unlawful conspiracy. Doc #57 ¶4, 9, 10, 11, 12. NPI and its co-conspirators targeted Charlottesville before the Unite the Right rally. Doc #57 ¶33-46. NPI and its co-conspirators coordinated a scheme to incite extreme and outrageous harmful behavior under the guise of the Unite the Right Rally. Doc #57 ¶47-67. NPI and its co-conspirators promoted attendance, violence, and imagery designed to threaten, intimidate, harass, and terrorize counter-protestors. Doc #57 ¶67-92. NPI and its co-Defendants engaged in a conspiracy to intentionally commit terroristic violence against counter-protestors at the Unite the Right Rally. Doc #57 ¶93-103. Defendant NPI's wrongful acts were a proximate cause of Plaintiff's injuries. Doc #57 ¶104-118. Plaintiff Burke suffered and continues to suffer serious injuries as a result of

Defendant NPI's wrongful acts. Doc #57 ¶¶119-131. Defendant NPI was a co-conspirator. Doc #57 ¶¶137-151.

**Wherefore** and for the reasons set forth above and in Plaintiff's Declaration in Support of Motion for Default Judgment, there is good cause for a Default Judgment to be entered against Defendant National Policy Institute in the amount of \$3,335,000.00 (\$3,350,000.00 requested in the Complaint *ECF #1* less \$15,000.00 recovered from David Duke and the Traditionalist Worker Party).

s/ Michael L. Fradin

Attorney for Plaintiff

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**CERTIFICATE OF SERVICE**

The undersigned certifies that on February 5, 2021, this Motion for Default Judgment was filed electronically. Notice of this filing will be sent to all parties of record by operation of the Court's electronic filing system.

s/Michael L. Fradin  
Attorney for Plaintiff